
(2011) 01 JH CK 0099

In the Jharkhand High Court

Case No : Writ Petition (S) No. 5630 of 2010

Shikharesh Banerjee

APPELLANT

Vs

State of Jharkhand and Others

RESPONDENT

Date of Decision : 14-01-2011

Acts Referred:

Citation : (2011) 01 JH CK 0099

Hon'ble Judges : Narendra Nath Tiwari, J

Bench : Single Bench

Judgement

Narendra Nath Tiwari, J.—The Petitioner has prayed for a direction on the Respondents to pay him monetary benefits of B.A. Trained Scale and also to pay arrears of salary and consequent arrears of pension which the Petitioner is entitled to get on the basis of the 6th pay revision.

2. It has been stated that the Petitioner retired from the services of the Respondents on attaining the age of superannuation on 30th September, 1994. During his service period, he had enhanced his qualification and became B.A. Trained in the year 1983. According to the policy decision, the Petitioner was entitled to get B.A. Trained Scale from the date of acquiring the said qualification. The Respondents have considered such claim of similarly situated teachers, namely, Ram Ayodhya Singh and Samruddin Ansari and others and have granted them the B.A. Trained Scale, but in spite of the repeated requests and representations, the said benefit has not been given to the Petitioner till date.

3. Learned G.P.I, appearing on behalf of the Respondents, submitted that the Petitioner has approached this Court after a long lapse of time. However, if the Petitioner has any such grievance, he may approach the District Superintendent of Education, Dhanbad.

4. Considering the above, this writ petition is disposed of, giving liberty to the Petitioner to file a fresh representation, along with a copy of this order, before the District Superintendent of Education, Dhanbad Respondent No. 3. On receipt

of the representation, the said Respondent shall consider the same also taking into consideration the instances given by the Petitioner to show that other similarly situated are getting the benefits. The Respondent shall dispose of the Petitioner's representation by a speaking order within a period of six weeks from the date of receipt of the representation. If the Petitioner is found entitled to get the pay scale, claimed by him, arrears of monetary benefits shall be paid to him within a period of six weeks thereafter. In that event, the said Respondent shall also forward the required papers to the Accountant General for revision/refixation of his pensionary benefits within the said period.